

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XIU JIAN SUN, The Church Of Jesus Christ of
Latter-Day Saints, Servant, The Spiritual
Adam,

Plaintiff,

-against-

DAVID B. COHEN, ET AL.,

Defendants.

21-CV-0469 (CM)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

On August 21, 2018, Plaintiff was barred from filing any new action without first obtaining from the Court leave to file. *See Sun v. Newman*, No. 18-CV-4010 (VSB) (S.D.N.Y. Aug. 21, 2018).¹ Plaintiff brings this new case *pro se*, without seeking leave from the Court to file it. This action is therefore dismissed without prejudice for Plaintiff's failure to comply with the August 21, 2018 order.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

Dated: January 20, 2021
New York, New York



COLLEEN McMAHON
Chief United States District Judge

¹ Both the Court of Appeals for the Second Circuit and the United States District Court for the Eastern District of New York have barred Plaintiff under 28 U.S.C. § 1651 from filing civil actions or appeals in those courts without first having obtained permission. *See Sun v. Dillon*, No. 16-3557 (2d Cir. Dec. 23, 2017), *cert. denied*, No. 17-1000 (U.S. Mar. 5, 2018); *Sun v. State of New York of the Attorney General*, No. 17-CV-5916 (AMD) (SMG) (E.D.N.Y. Dec. 6, 2017).